## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.:

09/775,343

Confirmation No.:

7209

Filing Date: January 31, 2001

Inventors:

McDevitt et al.

Title:

PORTABLE SENSOR

**ARRAY SYSTEM** 

Examiner:

2005 OCT 13 Pi. 4: 19

Art Unit:

Betty J. Forman 1634 US PAIENT & ITALIANK

1634

OFFICE

Atty. Dkt. No:

5936-00529

CERTIFICATE OF MAILING UNDER (17 C.F.R. §

DATE OF DEPOSIT:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Director of the U.S. Patent and Transmark Office

REQUEST FOR REFUND IN ACCORDANCE WITH 37 CFR § 1.26(a)

Mail Stop 16 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant submitted an Amendment; Response to Office Action Mailed June 3, 2005 (hereinafter "Response") for the above-captioned application on September 6, 2005 (received by the Patent and Trademark Office on September 8, 2005 as indicated by the copy of the first page of the Response obtained from the private Patent Application Information Retrieval ("PAIR") database (Exhibit A). The 3-month due date for a reply to the Office Action was September 3, 2005. Since September 3 was a Saturday and September 5, 2005 was a Federal Holiday, Applicant believes the submission of the Response on September 6, 2005 was timely.

Applicant's records indicate that the Patent and Trademark Office charged a fee for an extension for response within first month (fee code 2251, \$60.00) to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account 50-1505 on September 9, 2005 for the above-captioned

Inventor: McDevitt et al. Appl. Ser. No.: 09/775,343 Atty. Dkt. No.: 5936-00529

application. Applicant has indicated the charge to the deposit account on the relevant portion of the enclosed copy of the September monthly statement of deposit account from the Patent and Trademark Office (Exhibit B).

Applicant respectfully requests the Patent and Trademark Office to refund an amount of \$60.00 to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5936-00529.

Respectfully submitted,

Eric B. Meyertons Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

P.O. Box 398

Austin, Texas 78767-0398

Ph: (512) 853-8800

Fax: (512) 853-8801 Date: (12) 278

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Betty J. Forman

1634

Atty. Dkt. No:

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# AMENDMENT; RESPONSE TO OFFICE ACTION MAILED JUNE 3, 2005

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA. 22313-1450

Sir:

In response to the Office action mailed June 3, 2005, please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.

Response to the Office Action begins on page 7 of this paper.

09/09/2005 BABRAHA1 00000036 501505 09775343 01 FC:2251 60.00 DA

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## **Deposit Account Statement**

**Requested Statement** 

September 2005 Month:

Deposit Account Number:

501505

Name:

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL.

P.C.

Attention:

ACCOUNTS PAYABLE

Address:

700 LAVACA

City:

**AUSTIN** 

State:

TX

Zip:

78701

Country:

UNITED STATES OF AMERICA

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09/09/2005 BABRAHA1 00000036 501505

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